

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WILLIE AGEE,

Petitioner,

v.

CASE NO. 05-CV-70036-DT  
HONORABLE AVERN COHN

PAUL H. RENICO,

Respondent.

**ORDER DENYING AS MOOT PETITIONER'S MOTION IN OPPOSITION TO ANY  
FURTHER REQUEST FOR ENLARGEMENT OF TIME**

This is a habeas case under 28 U.S.C. § 2254. On January 6, 2005, Petitioner filed a Petition for Writ of Habeas Corpus and an Application to Proceed In Forma Pauperis. On June 6, 2005, the Court stayed the proceedings so that Petitioner could pursue additional state remedies for his unexhausted claims. The Court closed the case for statistical purposes. On October 11, 2007, the Court reopened the case and directed Respondent to file a response. On June 17, 2008, the Court again directed Respondent to file a response. On September 19, 2008, the Court granted Respondent additional time in which to file a response and directed a response by December 3, 2008. On December 3, 2008, Respondent filed a response to the petition. On December 8, 2008, Petitioner filed the instant motion in opposition to any further requests for enlargement of time. Given that Respondent has filed a response,

Petitioner's motion is denied as MOOT.

SO ORDERED.

Dated: December 19, 2008

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was mailed to Willie Agee, 403377 Kincross Correctional Facility, 16770 S. Watertower Drive, Kincheloe, MI 49785 the attorneys of record on this date, December 19, 2008, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5160